

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JENNIFER DEW-GLASSBURN

V.

UNITED HEALTH GROUP

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§
§

CASE NO. 4:05CV57
(Judge Schneider/Judge Bush)


**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On April 7, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that the Defendant's Rule 12(b)(6) Partial Motion to Dismiss Title VII and ADA Claims with Prejudice be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that the Defendant's Rule 12(b)(6) Partial Motion to Dismiss Title VII and ADA Claims with Prejudice is **DENIED**.

SIGNED this 29th day of April, 2005.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE